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THE RATCHFORD FIRM
P.O. Box 1039
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STATE OF GEORGIA)
)
COUNTY OF EFFINGHAM)

**DECLARATION OF COVENANT TO MAINTAIN
ROADS AND DRAINAGE INFRASTRUCTURE
IN PHASE THREE OF COVERED BRIDGE
SUBDIVISION EFFINGHAM COUNTY, GEORGIA**

This Declaration of Covenant to Maintain Roads and Drainage Infrastructure in Phase Three of Covered Bridge Subdivision, Effingham County, Georgia (hereinafter referred to as "Declaration") is made by BGN Investments, LLC, a Georgia limited liability company (hereinafter "BGN") as follows:

WHEREAS, BGN is the owner of the roads and drainage infrastructure existing in the residential subdivision known as Phase Three of Covered Bridge Subdivision located in Effingham County, Georgia (hereinafter referred to as "Covered Bridge, Phase Three") (legal description attached hereto as Exhibit "A"); and

WHEREAS, said roads and drainage infrastructure are more particularly described on the final plat that will be recorded in the records of the Clerk of the Superior Court of Effingham County, Georgia which is incorporated herein by reference; and

WHEREAS, the roads in Covered Bridge, Phase Three have not been dedicated and conveyed to the Board of Commissioners of Effingham County, Georgia, and therefore remain private roads; and

WHEREAS, the drainage infrastructure in Covered Bridge, Phase Three has not been dedicated and conveyed to the Board of Commissioners of Effingham County, Georgia, and therefore remains private drainage infrastructure; and

WHEREAS, pursuant to the Official Code of Effingham County, Appendix B, Subdivision Regulations, Article VII-Design Standards, Section 7.1.18, Private access roads and private streets, Sub-section (2), "the developer of any subdivision in which a private street or road is established shall provide the county commission with a maintenance agreement, consisting of covenants running with title to all lots served by such private street or road, indicating that the owners of such lots agree to assume the financial and legal responsibility for maintenance and operation of any such private street or road established."; and

WHEREAS, pursuant to the Official Code of Effingham County, Appendix B, Subdivision Regulations, Article VII-Design Standards, Section 7.1.18 – Private access roads and private streets, Sub-section (3), “the developer shall notify the initial purchasers of lots served by a private street or road, in writing, that the responsibility of maintenance and operation of the private street or road and private drainage features such as canals, ditches and swales, shall remain with such lot owners. Failure to notify each such lot purchasers shall constitute violation of this chapter.”; and

NOW THEREFORE, BGN and its successors and assigns, hereby affirmatively covenants and agrees as follows:

1. The above preamble and recitals are hereby incorporated as if restated verbatim.
2. BGN agrees to assume the financial and legal responsibility for the maintenance and operation of the private roads in Covered Bridge, Phase Three.
3. BGN agrees to assume the financial and legal responsibility for the maintenance and operation of the private drainage infrastructure in Covered Bridge, Phase Three.
4. BGN agrees to notify the initial purchasers of lots in Covered Bridge, Phase Three that the maintenance and operation of the private roads and the private drainage infrastructure shall remain with the lot owners.
5. BGN understands that a private road and a private drainage infrastructure may be dedicated and transferred to and accepted by the Board of Commissioners of Effingham County, Georgia for public road and drainage purposes, provided such private road and drainage infrastructure meets Effingham County’s design and construction standards and regulations and all local ordinances, state, and federal laws.
6. This Declaration runs with the land and is binding on all future owners, heirs, assigns, and successors in title and shall take effect on date signed below.

IN WITNESS WHEREOF, BGN has hereunto set its hand and seal on this _____ day of May, 2023.

BGN INVESTMENTS, LLC

By: *William Mark Glisson*
William Mark Glisson, Managing Member

Its: Managing Member

Signed, sealed and delivered this 6
day of September, 2023 in the presence of:

Witness
Crystal Graham Higdon
Notary Public
August 15, 2025
Exp. Date

(NOTARIAL SEAL)

Crystal Graham Higdon
Notary Public, Effingham County, Ga
My Commission Expires August 15, 2025